

## HARVARD EASILY OUTROWS YALE

Takes Quick Lead on the  
Thames and Wins by  
56 1-2 Seconds.

## YALE GETS FRESHMAN RACE

Crowds of Enthusiasts on Land  
and Water—Four Oared  
Race Harvard's.

New London, June 30.—Rushing to the front almost with the first stroke Harvard's varsity crew led Yale all the way down the four mile course on the Thames River here this afternoon and won by more than fourteen lengths. It was a procession, with Yale outclassed from start to finish. In fact the New Haven crew made such a distressing showing that after the first half mile had been rowed interest was lost, save for the bubbling joy of the rest army of Crimmon men from Cambridge.

Harry N. Atwood, the Boston aviator, distracted the attention of the multitude by following and circling over the crews a his Burgess-Wright biplane carrying a passenger. He had made a flight from Squantum, Mass., a distance of 106 miles, in a trifle more than two hours, to see the race. When the Yale crew had struggled past the finish point Atwood came down to within twenty feet of the river's surface and then swept back between the lines of yachts and steamers in marvellous style. This exhibition, which was a novelty unexpected, added lustre to a wonderful spectacle.

More than 50,000 persons saw the rival varsity eight settle the question of supremacy. Two observation trains of thirty cars each carried a total of 6,000 cheering partisans along the river banks. The steamers Chester W. Chapin and City of Lowell accommodated thousands, while more than five hundred yachts and motor craft provided vantage points for countless enthusiasts.

On the shores humanity gathered in immense throngs, while the railroad bridge groaned under the weight of many daring spectators who cared nothing for the passing trains. Harvard's hollow victory had been predicted for weeks. It was only a question how much the Crimmon crew would win by. The odds were 3 to 1 against Yale when the crews rowed to the mark and even money that Harvard would be in front at the first mile point. But none of the rowing experts expected Harvard to win with such ease. Coach Wray had the Cambridge men warned to the minute.

OFFICIAL TIMES.  
The moment the referee fired his pistol Yale was beaten. The New Haven men made a desperate splashing effort to hold their own with Harvard in the first one hundred yards, but it was an impossible task. Harvard's representatives were too big, too strong, too fast. Harvard's time was 22:44, Yale's 23:40. The official times by half miles were: Harvard, 2:41, 5:30, 8:31, 11:31, 14:39, 18:57, 23:44; Yale, 2:48, 5:44, 8:51, 11:47, 14:52, 17:41, 20:41, 23:40.

Yale was victorious in the freshman eight oared race and Harvard won the four oared event, which events were rowed in the morning. In the freshman race Harvard tried to make a runaway of it by cutting out a terrific pace, but when half the two mile course had been covered the Yale youngsters showed grit by overhauling their antagonists, after which it was Yale all the way to the end, with a margin of about a length and a half. Yale's time was 11:53 and Harvard's 11:59.

The Harvard four had no trouble in outrowing the New Haven crew and covered the two miles in 13:37. Yale was nearly five lengths behind in 18:52.

The race was scheduled for 9 o'clock. Two hours before that hour special trains from New York and Boston landed late comers at the station. They quickly boarded the observation trains. Promptly at 4:30 o'clock the observation trains steamed up to points near the starting dories anchored off Red Top. The wind was a southerly zephyr and the water seemed smooth enough for a fair test, but Referee Meikleham postponed the start for another half hour. There was very little wind and the tide had begun to ebb. The water was fine and the crowds waited breathlessly for the signal. The Harvard men were first at the mark, having the west bank, within a stone's throw of the shore. They were cheered.

Hearty cheers also greeted the New Haven oarsmen as they paddled down to the flag. They looked small in comparison, but they also seemed bristling with nerve.

OFF TO AN EVEN START.  
The referee's boat drifted down behind the crews just then and silence reigned while the rival captains announced that they were ready. At 5:30 o'clock the gun was fired.

Settling down in a jiffy the Harvard crew began pulling a 36 stroke. Yale responded with 38. For fifty yards the bows of the shells cleaved the wavelets as if connected by a wire. Then the Crimmon bow began to show in front. The Harvard men put wonderful power into their blades in the next 100 yards and Yale began to drop back.

"Harvard in a walk!" exclaimed the Boston rowing sharp as the Crimmon shell covered the first eighth of a mile. By that time Yale was one length behind. The great difference between the crews' armament was clearly apparent. The Harvard men were pulling 36 even strokes to the minute and without a particle of

## FLIES ABOVE BOAT CREWS.

Boston Aviator With Passenger Follows  
Race at New London.

New London, June 30.—Harry M. Atwood, an aviator, arrived here at 9:22 this morning from Squantum Field, near Boston, in a Wright-Burgess biplane. Atwood carried Edward Fleet, his mechanic, in the machine and covered the 135 miles without a landing in 2 hours and 22 minutes. His machine is calculated to generate 30 horse-power. It consumed thirteen gallons of gasoline on the trip.

At exactly 7 o'clock this morning Atwood and his mechanic left Squantum Field. The aviator made a line for Quincy, proceeding thence to South Braintree and to Brockton. From there he flew to Bridgewater, to Middleboro, to Taunton, to Fall River, Newport and across Narragansett Bay. At Kingston he came to the tracks of the New Haven Railroad, which he followed to this city.

He came in sight of New London at a few minutes after 9 o'clock and at 9:12 he was circling over the city. He started northward, following the Thames and landed lightly in a daisy field north of Riverside Park.

The Business Men's Association took the aviator in tow and soon brought him in an auto to the Crocker House, with his mechanic. Mayor Bryan F. Mahan was introduced and gave the aviators the freedom of the city. Atwood was pleased with his reception and invited the Mayor to sail with him this afternoon and follow the Yale-Harvard varsity eight.

Mayor Atwood accepted and the biplane followed the crews zigzag from Bartlett's Point down the four mile course, hovering over the eight.

Atwood and his mechanic are scheduled to fly to Mineola, L. I., to-morrow morning at 7 o'clock. The aviator complained of being tired to-night, but said he would be up bright and early for his trip across Long Island Sound.

## NO PAY FOR LOST BEAUTIFIER.

London Specialist Fails in Suit Against  
Louise Winterfeldt of New York.

Special Cable Dispatch to THE SUN.  
LONDON, June 30.—Helena Titus, a beauty specialist, trading under the name of Mrs. Rubenstein, in Grafton street, sued Louise Winterfeldt of Fifth avenue, New York, to-day, for inducing Dora Stock, the plaintiff's assistant, to break a contract with her. It was alleged that Miss Winterfeldt was a client of Mrs. Rubenstein, or Titus, and arranged to take Miss Stock to the United States for a month at a salary of \$750. Miss Stock, it was alleged, did not return because Miss Winterfeldt offered her \$1,250 a year to remain in New York as her secretary.

It was alleged that the receipts from Miss Stock's work averaged \$600 per week for treatments and \$820 weekly from sales.

Miss Winterfeldt, a tall, handsome, auburn haired woman, testified that she did not know that Miss Stock had an agreement with Helena Titus and had no idea that it was against the latter's wish that Miss Stock remained with her in New York.

The jury found that the defendant did not know that Miss Stock was under contract to the London specialist and rendered a verdict for Miss Winterfeldt.

## TANGLED BRIDGE JUMPER.

Tramp's Coat Held Him Suspended 130  
Feet Above the River.

William Baist, homeless and friendless, according to his own account, pined a pearl handled pocket knife, the last of his possessions, for 50 cents yesterday morning and when that money was gone he decided to jump to death from the Williamsburg Bridge. He jumped at the height of the rush hour, around 6 o'clock, but his coat caught between two iron rods joining in a V fifteen feet below the footpath, and there he dangled for fully fifteen minutes, fighting off the men who were trying to rescue him.

The wanderer chose a place on the footpath about a hundred feet west of the Brooklyn tower as the proper spot from which to make his plunge. Since the footpath is in the middle of the bridge and elevated above the tracks of the B. R. T. trains Baist could not jump into clear space. He had to select a point over an open space in the grill work of tracks and girders below and trust to a keen judgment of narrow spaces to let his body shoot downward unimpeded.

From a bench Baist stepped to the rail and before any one in the crowd of pedestrians could reach out a hand the vagabond dropped downward. Then it was that his coat caught fifteen feet below the footpath with his head on the level of the car tracks and his feet dancing in space 130 feet above the river.

Joseph Baier, motorman of a Ralph avenue car that was approaching, saw the head and waving arms in the lattice of the tracks and threw on his air with a jerk. He shouted to James Gavin, an inspector for the company, who was sitting inside the car and together they hurried over the ties to the struggling man. When they started to place their hands under his arms he cursed them hysterically and writhed all the harder. The steady r-r-r-r of the coat, which was slowly partitioning the seams caught in the notch of steel, gave warning that the would-be suicide was gaining.

The two car men and the crowd that had gathered on the footpath above yelled in unison and Policeman Driscoll of the bridge squad hurried down to help save the man, but he fought so vigorously that Driscoll had to tap him a couple of times with his baton. Then he was taken to the Williamsburg Bridge station and later to the Bedford avenue station to be put under arrest on the charge of attempting suicide.

Later George Baist of 222 Powers street, Williamsburg, who said that he was a brother of the man arrested, told the police that William lived with him until two months ago and then disappeared without a word.

## Treasury Surplus About \$35,000,000.

WASHINGTON, June 30.—Revised estimates indicate that the closing of the fiscal year 1911 to-day will find the Federal Treasury showing a surplus of about \$35,000,000. Receipts from Panama Canal bond sales indicate that there will be no deficiency on account of canal operations.

## Workhouse for Ticket Speculators.

Three ticket speculators, who were arrested in front of the New York Theatre by Magistrate Corrigan in the night court. The Magistrate announced on Thursday that he was through with fines for such offenders.

## BANDITS ATTACK P. R. R. TRAIN

THREE MEN SHOT IN BATTLE  
IN CUT NEAR ERIE, PA.

Robbers Pile Railroad Ties on Track and Attempt to Board Train When It Stops.—Train Hands Put Up Hard Fight.—Gang Hounded With Shot or No Shot.

ERIE, Pa., June 30.—Ten masked bandits armed to the teeth held up passenger train No. 47 of the Philadelphia and Erie Railroad at 9:15 to-night at Five Mile Curve, just east of here. They shot three men, battered another and got away. Had the train been running but five miles faster an hour the entire train would have been ditched and every life lost.

C. H. Black, the mail clerk, was shot through the thigh as he made a strong fight to protect his car. Expressman Martin Hart was also shot as he was going to the rescue of Black. Conductor H. D. Rooney is suffering from a slight wound, while the engineer, Albert Carey, was beaten and Carl Anderson, a passenger, was rolled over the embankment.

As yet there are no clues to the bandits. Scores of policemen and railroad detectives are making a thorough search of the surrounding ravines for them. Some of them were Italians and they fired more than one hundred shots in the effort to rob the train.

The passengers all escaped injury. Steele Stafford was threatened at the point of a revolver unless he would withdraw his head from the window. The woman passengers were thrown into a panic, but the men blocked the doors of the passenger coaches saved them.

The plot to hold up the train, which generally carries large amounts of cash for the express company, was carefully planned. The most dangerous place between this city and Emporium was chosen. There are a sharp curve and a steep embankment.

Railroad ties had been placed across the track in an effort to derail the train, throwing it into the ditch and thus making possible a complete haul, as almost every passenger would have been killed or desperately injured but the train was on time and Engineer Carey was stopping his engine. The pony wheels were just upon the ties.

In an instant two masked men were on the locomotive with guns at the face of the engineer. The fireman, Leo Seachrist, jumped off the other side of the train and ran through the woods to a nearby farmhouse, where he awoke the owner, and was enabled to telephone to this city for the police. Instantly a dozen officers of the local police force, railroad detectives and others were rushed upon an engine to the scene of the holdup.

While Seachrist was on this errand, several shots were fired by other bandits to scare the passengers. When people in the coaches opened the windows to look out they were covered and told to remain inside. Mail Clerk Black and Express Messenger Martin Hart barricaded themselves in their car when they heard the shots. When the bandits made an effort to batter down the door, the clerk and messenger fired at them through it.

Several of the bandits clambered to the roofs of the passenger coaches and began firing through the ventilators. The bandits crept along until they reached the top of the express car and through the ventilators they wounded Black and Hart.

While the robbers were concentrating their efforts on the express car several passengers got out of the coaches and opened fire on the bandits. The two holdup men on the engine jumped to the ground and ran to the aid of the others on the express car. In the combat one of the bandits was wounded and rolled off the roof of a car.

When the police and railroad detectives reached Five Mile Curve the bandits had fled, taking with them their wounded companion. Horses were procured by the police and the chase of the bandits was begun.

It was found that a passenger for Chicago named Elmer Carney had been thrown into the gulley. The engineer was bleeding from a severe wound and the mail clerk was stretched on the floor of his car with a wound through the thigh. But the stiff endeavor which the railway employees had put up to save the valuables had caused the bandits to run. They jumped from the train and stood around while some of their companions made their escape.

One passenger had tried to open a window of a coach, but one of the robbers pointed a rifle at him telling him to stop or he would be shot. The men passengers were found blocking the doors, while the women trembled and cried.

When it became known here that the train had been held up thousands of persons gathered at the railroad station. All the available policemen and detectives from this and surrounding towns went in search of the fugitive bandits.

The surrounding country was aglit all night with lanterns thick as fireflies searching for the men. When the train arrived here at 11:30 to-night passengers were dazed from fright and many women were hysterical and required attention.

Carl O. Anderson of Chicago, on his way home from a vacation trip, rushed out of the smoker and grappled with a man who had jumped to the platform. They grappled for five minutes. Finally Anderson got the revolver, but he was buried headlong over the embankment and his clothes torn from his body. He lodged in a clump of bushes twenty feet down. He was rescued by fellow passengers later.

After the ties had been removed from the track the engine tender and express car were placed back on the rails and continued on to this city.

Fully a hundred shots were exchanged by the bandits and passengers while the fireman was going for aid. The fire finally got too hot for the bandits and they fled. They had horses in the vicinity and easily outdistanced their pursuers.

It is not definitely known whether they got any booty. It is certain they did not get much, as the fight was too hot to permit them to help looting and the speedy arrival of help defeated their plans. The police here say they have no report of any actual robbery.

Black and Hart were taken to a hospital here. The former is thought to be fatally injured.

## BIDDLE CHILDREN IN PERIL.

Youngster and His Sister Rescued From  
Atlantic City Surf.

ATLANTIC CITY, N. J., June 30.—Livingstone Ludlow Biddle, aged 15; Miss Cordelia Biddle, aged 17, brother and sister of Anthony J. Drexel Biddle of Philadelphia, and James Lalew, Jr., 18 years old, a companion, came near being drowned in the ocean off Dorset avenue, Ventnor, this afternoon. They were swept two squares from the beach by a strong outgoing current and were exhausted when rescued by Guardsmen Conover and Brady, aided by those on shore, who pulled them to the beach with the lines attached to the can buoys.

Miss Biddle and her brother, both good swimmers, left their elder brother's cottage on Suffolk avenue at about 4 o'clock for a plunge in the sea. They enjoyed the big combers until opposite Dorset avenue, when an offshore current gripped the young Biddle and swept him from his sister's side. In her attempt to aid him Miss Biddle found herself in like peril. Swimming with one hand on the boy's shoulder, she tried to get back to shore, but soon found it futile.

They were then the distance of a square from the breaker line and still going out. Lalew, who had left them at the water's edge, shouted to bathers near by and started for the imperiled swimmers. He found the undertow too strong to help them in, but managed to husband his strength enough to keep them afloat. The throng on shore got word to the life guards a square away, and when the guards came they swam to the imperiled bathers, taking along can buoys with lifelines attached to them.

The rescue was stopped when his line was all run out and Brady kept on with his buoy, with Conover holding the end of his line. Thus they doubled their connection with shore. Bathers gave them more length by making a human chain in the water.

The life guards reached the drowning children and held them on the buoy while those on shore pulled them in. Mr. and Mrs. Biddle reached the beach just as the half-conscious bathers were carried ashore. Mr. Biddle substantially rewarded the guards.

## WALLES TO SEE THE WORLD.

Young Prince to Make a Cruise of Circumnavigation and Study the Empire.

Special Cable Dispatch to THE SUN.  
LONDON, June 30.—At the Duke of Connaught's dinner to-night it was intimated that the Prince of Wales is to go on a cruise of the world in order to acquaint himself with all parts of the Empire.

## FIRE COMMISSIONER WARNS.

Tells Fourth of July Celebration Committee to Bar High Explosives.

Fire Commissioner Johnson sent a letter to Chairman Marks of the Fourth of July Celebration Committee yesterday advising against the use of certain kinds of fireworks to be used Tuesday evening by the contractors engaged by the committee.

The Commissioner wrote that aerial shells, maroons, rockets, bombs and salutes are highly dangerous and should not be used anywhere in the city. These, he wrote, are prohibited: Batteries larger than five-eighths of an inch in diameter and one inch long, firecrackers containing chlorate of potash or other high explosive, firecrackers containing picric acid or picrates, colored fire containing sulphur or chlorate of potash, fireworks technically known as flying pigeons, whirled, flying devices, wheat sheaves, galling batteries and the like.

The Fire Commissioner recommended that no floral bomb shells or aerial shells of any kind be fired on any street in the city. He also recommended that police lines be established to keep the spectators back at least 100 feet from the place where the fireworks are set off. A fireman is to be stationed at the scene of each display.

## PRESIDENT GOES TO BEVERLY.

Sunday He Will Start for Indiana, Where  
He Will Make a Reciprocity Speech.

WASHINGTON, June 30.—The President left Washington late this afternoon for their summer home at Beverly, Mass. The President will remain at Beverly until Sunday afternoon, when he will leave for Indiana.

On Monday afternoon he will spend a few hours at Marion and on the Fourth of July he will make a reciprocity speech at Indianapolis.

The President will return to Washington the middle of next week. Mrs. Taft will remain at Beverly practically all summer. The President intends to remain in Washington until Congress adjourns but will make frequent weekend visits to Beverly.

## FRENCH SPY IN SAXONY.

Army Captain Is Sent to Prison for a  
Term of Six Years.

Special Cable Dispatch to THE SUN.  
LEIPZIG, June 30.—Capt. Luc of the French army has been sentenced to six years in a fortress for spying on Saxon fortifications.

## THREAT TO KILL JUDGE.

Young Criminal Sent On to Elmira With-  
out Increase of Penalty.

Rosario Barone, 17 years old, on being sentenced to the Elmira Reformatory on a criminal charge made by Mayor Turnair, 15 years old, confidentially informed his attendant that he would kill Judge Burt J. Humphrey of the Queens County Court when he got out. The attendant marched Barone back into court and told District Attorney De Witt and the court of the threat. When the threat was repeated in court by the attendant Barone, who up to that time had done his talking through an interpreter, called the attendant "a liar." District Attorney De Witt asked that the full penalty for the crime for which the prisoner was convicted be imposed, but Judge Humphrey refused to change the sentence.

"How long I got to stay there?" inquired the prisoner sullenly.

"If you continue to act as you are doing now," replied the Judge, "you may remain there for the remainder of your natural life. When you get out if you are of the same mind then as now about shooting me, you can find me at my residence in Clinton avenue, Jamaica, so call around and see me."

Barone was taken away muttering to himself.

SEVERE WEARINESS—Horsford's Acid Phosphate quickly relieves the languor, exhaustion and nervousness of Summer.—Ad.

## EXPRESS RATES COMING DOWN

COMPANIES ANNOUNCE GREAT  
VOLUNTARY REDUCTIONS.

Looks as if 90 Per Cent. of All the Business Would Go Cheaper After August 1—Maybe Forebodings of a Parcel Post Law Had an Influence.

WASHINGTON, June 30.—Members of the Interstate Commerce Commission were taken by surprise this afternoon when bulky packages were delivered to them containing new express tariffs from all the express companies in the United States except the Long Island company. The new rates were dumped in on the commission only a short time before the closing hour, but a hasty checking showed that the tariffs call for a large reduction in express rates beginning on August 1.

In the hurried comparison that has been made between the new and the old rates it appears for one thing that in the case of long hauls of express packages to non-competitive points the general reductions amount to as much as 50 per cent. Officials of the commission say that the new rates will bring substantial reductions on 90 per cent. of the traffic handled by the sixteen or seventeen express companies of the country.

The new tariffs also show that the companies have abandoned their double graduate system of charging for express packages weighing less than 100 pounds. Under this system every express company participating in the transportation charged its own separate rate for the distance hauled. The new tariffs provide for a charge based on a through haul.

The following instance illustrating the change is cited: Under the system now prevailing in a haul between certain points where the rate is \$1.25 per 100 pounds and two companies are participating each company will charge 50 cents for a package of ten pounds, with proportionate graduating charges from one up to 100 pounds. Under the new system as filed to-day 75 cents will take a package through to its destination.

The impression here to-night is that this voluntary action on the part of the express companies is designed to anticipate orders by the Interstate Commerce Commission reducing express rates. The commission has been conducting an investigation into the rates, rules and regulations of express companies for some time and the general belief is that the commission will hand down a report holding that the rates are too high.

The question of establishing a parcel post has come up again and is being actively promoted, before the Post Office Committee of the House. In addition to the agitation for the parcel post, Democrats have been stirring up the subject of an investigation of the express companies. All of these activities may have had an influence upon the decision of the companies in regard to to-day's tariff changes.

Under the law railroad and express companies are compelled to give thirty days notice of changes in rates unless excused from doing so by the commission. The express companies are apparently anxious to have the new rates go into effect on August 1. To-day was the last day on which they could file them to become effective on that date.

## TO DEATH FROM VIADUCT.

Women See Suicide Vault Rail on River-  
side Drive Structure.

Two women, crossing the Riverside Drive viaduct at 129th street at 6:20 o'clock last night passed a man walking back and forth nervously and then as they looked back at him when they had gone a few feet further saw him vault over the iron railing and drop to the street below, a fall of 125 feet.

Joseph Reilly and George Baushmeier, two boatmen, ran up from the 129th street pier and called a policeman and an ambulance, but the man already was dead. His body was badly crushed by the fall.

In the inside of the man's coat was a label with the name G. B. Perk Van Luth, supposed to be the name of the suicide. He wore a blue serge suit of New York make and a black soft hat bearing the label of P. C. Clipson of Okmulgee, Okla. There was a purse with a single nickel in it. The man was about 30 years old, of dark complexion, about 5 feet 7 inches in height and weighing about 150 pounds. The clothing was of good quality and the man's hands showed that he was not accustomed to manual labor.

## DOGS' DAY AT NEW ROCHELLE.

Raising of Eight Months Canine Quarantine Celebrated.

NEW ROCHELLE, June 30.—The dog quarantine that has been in force here for eight months has been removed to-day by order of Raymond A. Pearson, State Commissioner of Agriculture, who caused notices to that effect to be posted.

Almost as soon as the notices were tacked up automobiles and carriages appeared on the streets filled with children, pet dogs and flowers. The dogs were unmuzzled and the muzzles hung from their collars or from the sides of the vehicles. The children shouted, dogs barked and chauffeurs tooted their horns. Many of the dogs were blue ribbons won at dog shows. On the hood of one automobile sat a large bulldog with a sign hanging from his mouth, bearing the following: "Dogcatchers, keep off; my muzzle is gone."

At Rochelle Park a group of children decked with flowers led their dogs with blue ribbons. Many of the dog owners paraded their pets past the dog pound.

## BRECKENRIDGE WINS SUIT.

Court Allows Father to Keep Children  
Seized in London.

CLIFFORD FORGE, Va., June 30.—The suit of Hunter Breckenridge, recently accused by his wife in New York of kidnapping her children on the streets of London, for the possession of the children was decided in the Circuit Court here to-day before Judge George K. Anderson in Breckenridge's favor. The proviso is added that Mrs. Breckenridge shall have frequent access to the children.

The pending application for divorce was not decided to-day.

Roanoke and West Virginia Coal Fields.—Through Pullman sleeping car now leaves Pennsylvania Station 8:30 P. M. daily for Natural Bridge, (Roanoke and Gary, via Norfolk & Western Splendid dining car service.—Ad.

## GOGORZA-EAMES BANNED.

Approaching Marriage of the Singers Is  
Formally Announced in Paris.

PARIS, June 30.—The bans have been published for the marriage of Emilio Gogorza, the American barytone, to Mme. Emma Eames, the prima donna. The engagement of the couple was announced some time ago, after Gogorza had secured a divorce from his wife in Parisian courts. It was at one time rumored that the marriage had taken place.

Bans have also been published for the marriage of Henri Menier, the chocolate man of international fame, to Mlle. Thyra de Seillière, daughter of Baron Raymond de Seillière. Menier was supposed to be a confirmed bachelor.

## GIRL THROTTLES DOCTOR.

Syrian Physician Mistaken for Subway  
Car Rowdy.

Miss Catherine Heller of 35 Ralph street, Brooklyn, has read in the papers of the treatment accorded to car rowdies when they get to police court. So yesterday when a man next to her pushed over close as a subway express was leaving Fourteenth street she stood up and shot her left to the man's jaw. The man was Dr. Salim Dick, a Syrian physician of 170 West Forty-eighth street. He held the woman's hands until the train reached the bridge, when he had her arrested.

In the Tombs police court Dr. Dick explained to Magistrate Appleton that he had pushed over toward Miss Heller to make room for another woman in the car to sit down. He was no car rowdy, he declared.

Magistrate Appleton discharged Miss Heller after telling her that she ought to exercise more self-restraint in hot weather.

## CHOLERA FROM NEW YORK.

Woman on the Oceanic Stricken—Pas-  
sengers All Isolated.

Special Cable Dispatch to THE SUN.  
TRIESTE, June 30.—A woman passenger on the Austro-American steamship Oceanic, from New York, has developed cholera symptoms and all the passengers have been removed to the isolation hospital.

There was a suspicious case on board the vessel when she arrived last Sunday and she was placed in quarantine.

## WHEN A FLAT LEASE IS VOID.

Tenant Can't Be Held to Contract If  
Neighbors Are Noisy.

The Appellate Term of the Supreme Court decided yesterday that a tenant who leases an apartment on a written contract for a certain period and leaves before the lease is up is justified in doing so if the landlord takes no action when the tenant complains that certain of his neighbors are noisy and his wife has been insulted by them while in the apartment house elevator. The rule was laid down in a suit by Amelia Phyro against John G. Dale to recover rent under a written lease for an apartment at 342 West Fifty-sixth street.

The court decided that the neighbors complained of were maintaining a common nuisance which the landlord could abate and that his failure to do so justified the defendant in vacating the premises.

## SALE OF "COLLIER'S" STOPPED.